



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8
S. Byers
10/27/03

First Named Inventor : Anne Hover et al.	
Appln. No. : 09/921,252	
Filed : August 2, 2001	Group Art Unit: 3731
Title : BONE FRACTURE IMPLANT WITH NON-METAL SPACERS	Examiner: Jessica R. Baxter
Docket No. : A227.12-0057	

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(b))

Commissioner For Patents

SENT VIA EXPRESS MAIL

10/27/2003 SERVICE 00000001 110982 09921252
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Express Mail No.: EV 302261673 US

Sir:

Interest of Person Making This Disclaimer

I, Jeffrey D. Shewchuk, represent that

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☒ a representative authorized to sign on behalf of the assignee of this invention.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is DePuy Orthopaedics, Inc., 700 Orthopaedics Drive, P.O. Box 988, Warsaw, Indiana 46581-0988. The title of the Disclaimant is Attorney of Record, and the Disclaimant is authorized to sign on behalf of Assignee.

Extent of Interest

The extent of our interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as follows:

Disclaimer

I/We hereby disclaim the term of any patent granted on the above-identified application subsequent to

☒ the full term of United States Patent No. 6,296,645 as presently shortened by any terminal disclaimer,

or

☐ the term of any patent granted on application number __,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,296,645,

☐ any patent granted on application number __,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

We do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

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in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DEPUY ORTHOPAEDICS, INC.

By:


Jeffrey D. Shewchuk

Date:

October 17, 2003

Inventor: Anne Hover et al.

Application No.: 09/921,252

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Fee Status

(37 C.F.R. 1.20(d))

<input checked="" type="checkbox"/>	other than a small entity	\$110.00
<input type="checkbox"/>	small entity status of this application under 37 C.F.R. 1.9 and 1.27 is established by a statement .	\$ 55.00

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: October 17, 2003

By: 

Jeffrey D. Shewchuk, Reg. No. 37,235

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